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**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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**CHRISTINE RODRIGUEZ,  
SANDRA BURGA, KAREN MALAK,  
JAMES TORTORA, LISA BRUNO,  
JANEEN CAMERON,  
Individually, and for all others similarly situated,**

**Case No.: 07-CV-9227**

**Plaintiffs,**

**NOTICE OF MOTION  
TO DISMISS**

**IT'S JUST LUNCH INTERNATIONAL  
IT'S JUST LUNCH, INC. and HARRY and  
SALLY, INC.**

**Defendants.**  
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**PLEASE TAKE NOTICE** that upon the annexed declaration of Bari Klein, Esq., dated August 29, 2008, and the accompanying memorandum of law, and upon all the pleadings heretofore had herein, defendants IT'S JUST LUNCH & HARRY and SALLY, INC., will move this Court, before the Honorable Stein, U.S. District Judge at the U.S. District Court for the Southern District of New York, located at 500 Pearl Street, New York, on a date, time and place to be determined by the Court, for an order dismissing the complaint in its entirety.

Dated: New York, New York  
August 29, 2008

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH, LLP

By: 

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TO: Balestriere Lanza PLLC  
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*Attention: Jon Norinsberg*